

# Town of Frederick Board of Trustees



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AM 2009-043

## To Consider an Update to the Frederick Municipal Code Regarding Utility Fee Collection Practices

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**Agenda Date:** Town Board Meeting – May 5, 2009

**Attachments:**  
a. Ordinance  
b. Billing and Payment Chart

**Fiscal Note:** N/A

Marcia Lierman  
Finance Director

**Submitted by:**

  
Marcia Lierman

**Approved for Presentation:**

  
Town Administrator

**AV Use Anticipated**

Projector \_\_\_\_\_ Laptop \_\_\_\_\_

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**Certification of Board Approval:**

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

**Summary Statement:** The Town must update the ordinance regarding utility fee collection practices due to the addition of new services being provided.

**Detail of Issue/Request:** The Town has added solid waste and storm water drainage billing to the monthly statement that goes out to our customers. The attached ordinance will clarify that these utilities, while listed separately, will be considered one debt. The ordinance also sets the application order for payments applied to that debt. Four separate remedies have been listed for unpaid charges. Any or all of these remedies may be used to assure payment being received by the Town for services provided.

**Legal/Political Considerations:** At least one of Frederick's neighbors and several other communities along the Front Range have adopted consolidated billing and similar non-payment remedies to what are being proposed. Consolidated billing for municipal utilities eliminates the potential for residents to cherry-pick which utility services they will pay and the potential for disparate treatment of residents for the same payment deficiencies. Providing a list of the potential remedies enables the Town to put all residents on notice of the potential forms of enforcement, yet allows the Town flexibility in administering them within different areas of the Town's boundaries, as Town utilities are provided differently west of I-25.

**Alternatives/Options:**

Leave collections as they are, and not address the billing for multiple services.

Continue to let customers pay only a portion of the amount owed for services and fees when their service has been shut off.

Adopt the ordinance with revisions requested by the Board of Trustees.

**Financial Considerations:**

N/A

**Staff Recommendation:**

Staff recommends passing the ordinance regarding utility fee collection practices.